

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
06-CR-322A

NATHAN LITTLEFIELD,

Defendant.

This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(A). On March 29, 2007, defendant Nathan Littlefield filed a motion to transfer the action to the District of Massachusetts. On May 30, 2007, Magistrate Judge Scott filed a Decision and Order, granting defendant's motion.

On July 13, 2007, the government filed an appeal of the Magistrate Judge's order of transfer. The defendant filed a response on July 16, 2007. The Court heard oral argument on August 10, 2007.

Pursuant to 28 U.S.C. § 636(b)(1)(A), the district court "may reconsider any pretrial matter under this [section] where it has been shown that the magistrate's order is clearly erroneous or contrary to law." The Court has reviewed government's objections and Magistrate Judge Scott's Decision and Order. Upon such review and after hearing

argument from counsel, the Court finds that Magistrate Judge Scott's Decision and Order is neither clearly erroneous nor contrary to law.

Accordingly, the Court affirms the Decision and Order. The Clerk of Court is hereby ordered to take all steps necessary to transfer this case to the District of Massachusetts.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: August 13, 2007